

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DEVIN E. ANDERSON,

Petitioner,

vs.

ASHLEY SACRISTE,

Respondent.

**8:19CV172**

**MEMORANDUM AND ORDER**

This matter is before the court on what the court construes as correspondence filed on behalf of Petitioner. (Filings 26 & 27.) The documents consist of copies of Respondent's Motion for Summary Judgment and the related exhibits, brief, and motions to restrict and/or seal with handwritten notations on the documents. (*See* Filings 19–24.) There is also a three-page handwritten note addressed to the undersigned which raises several issues related to Petitioner's proceedings before the mental health board. (Filing 26 at CM/ECF pp. 2–4.) However, this document is signed by an individual named "John Fischbach." (*Id.* at CM/ECF p. 4.)

It is apparent that these documents were filed by John Fischbach on behalf of Petitioner. There is no indication that Mr. Fischbach is a licensed attorney and, thus, he cannot file documents on behalf of Petitioner in this court. *See* Fed. R. Civ. P. 11. Accordingly, the court will not consider these documents as filed in response to Respondent's summary judgment motion and will advise Petitioner that he has until September 9, 2020 to file a brief in opposition to Respondent's summary judgment motion.

As set forth in this court's progression order, "Petitioner may not submit other documents unless directed to do so by the court." (Filing 12.) Thus, to be clear, Petitioner must *only* submit a brief in opposition to Respondent's motion for

summary judgment which must be originally signed by Petitioner by September 9, 2020.

IT IS THEREFORE ORDERED that:

1. The court will take no action on Petitioner's correspondence (filings 26 & 27).

2. Petitioner has until **September 9, 2020** to file a brief in opposition to Respondent's Motion for Summary Judgment. Petitioner may request an extension of time if needed.

Dated this 31st day of August, 2020.

BY THE COURT:



Richard G. Kopf  
Senior United States District Judge